

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT WINCHESTER

THOMAS H. CLARK

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

)

) Nos. 4:02-cr-17 / 4:10-cv-39-CLC-SKL

)

)

)

)

)

)

ORDER

Previously the Court found Defendant Thomas H. Clark (“Clark”) was indigent under 28 U.S.C. § 1915(a). On April 30, 2013, the Court appointed Attorney Brian O’Shaughnessy to represent Clark only at the evidentiary hearing and possible resentencing [Doc. 240], and Attorney O’Shaughnessy represented Clark at hearings held on August 26, 2013 and December 16, 2013. At the last hearing, Clark asked about appointment of an attorney for purposes of an appeal and indicated he would like to appeal once the judgment reflecting his *amended* sentence was entered. As judgment was entered January 31, 2014 [Doc. 263], the Clerk is **DIRECTED** to file a notice of appeal of the judgment and send a copy of the notice to Clark at his last known address along with a copy of this Order. If Clark wants to seek an appointed attorney for his appeal, he should file an appropriate request for appointed counsel with the Sixth Circuit clerk’s office.

As noted during the last hearing, if Clark wishes to file to seek appointed counsel for any motion for a reduced sentence pursuant to § 3582(c)(2) based on his *amended* sentence, he should timely file an appropriate motion requesting relief in this Court. This order does not address any

potential claim for relief under 18 U.S.C. § 3582(c)(2) regarding Clark's amended sentence produced as the result of habeas relief.

SO ORDERED.

ENTER:

s/ Susan K. Lee
SUSAN K. LEE
UNITED STATES MAGISTRATE JUDGE